

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Parts 73 and 74 of the	)	
Commission's Rules to Establish Rules	)	MM Docket No. 03-185
For Digital Low Power Television,	)	
Television Translator, and Television	)	
Booster Stations and to Amend Rules for	)	
Digital Class A Television Stations	)	

To: The Commission

**REPLY COMMENTS OF ISLAND BROADCASTING CO.**

ISLAND BROADCASTING CO. ("Island"), by its counsel, hereby files its limited Reply Comments in the above-captioned proceeding. In support hereof, the following is shown:

1. On November 24, 2003, Island filed its Comments herein. Specifically, Island urged the Commission not to require the conversion of incumbent analog LPTV stations to digital operations by a fixed date, but rather, to adopt a more flexible approach which permits market forces to dictate the appropriate conversion date.
2. Island now wishes to file a Reply Comment specifically directed to paragraph 78 of the Notice of Proposed Rulemaking ("Notice") herein. That paragraph seeks comments on whether digital LPTV stations should be partially or fully exempt from a minimum video program service requirement based on special circumstances, and what technical standards and interference criteria should apply to program transmissions if and when free off-air video programming is not required.

3. As a long time LPTV licensee, Island strongly believes that the Commission should fully exempt digital LPTV stations from any minimum video programming service requirement and any technical requirement imposing an 8VSB modulation standard on digital LPTV operations. Richard Bogner, Island's Managing Partner, is a pioneer in the LPTV industry and also is a highly qualified and well respected technical expert in LPTV. In this regard, Mr. Bogner's continuing tests on LPTV transmissions with the current 8VSB modulation standard utilized for DTV transmissions, has revealed that the persistent problem of dynamic multi-path would still exist. Thus, Island believes that if digital LPTV transmissions are authorized, the 8VSB modulation standard will provide an unreliable and poor quality signal for such transmissions and, thus, should be eliminated as discussed below.

4. Many LPTV licensees currently face serious economic and financial burdens as the FCC knows, because of weak or unreliable signals and their inability to be accorded carriage rights on the vast majority of cable TV and DBS systems. Saddling these stations with a minimum program service requirement coupled with a 8VSB modulation requirement could seriously jeopardize their continued viability, and possibly result in their ultimate demise - - a result clearly inconsistent with the paramount public interest.

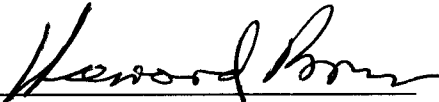
5. In this connection, Island respectfully suggests that the FCC should allow what Island considers to be a more reliable and effective modulation standard for digital LPTV transmissions. Such a standard could be for example the COFDM or equivalent standard now widely used in Europe. If an alternative modulation standard to 8VSB would be used, Island submits that over the air LPTV digital transmissions would be substantially enhanced and viewers would enjoy a much more reliable and dependable signal than with

the 8VSB standard. It is Island's view that the Commission may not be fully cognizant of the current reception problems with 8VSB for existing over the air DTV transmissions because many TV viewers receive such signals via cable TV, DBS or via large roof top antennas which have built-in components to overcome these problems.

6. In sum, exempting digital LPTV stations from a minimum video program service requirement and technical requirement using an 8VSB modulation standard will be fully consonant with the public interest for the reasons demonstrated above.

Respectfully submitted,

**ISLAND BROADCASTING CO.**

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